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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.       |
|---|-------------|----------------------|---------------------------------|------------------------|
| 10/686,891  | 10/15/2003  | Amir J. Tehrani      | RMXLNZ00100                     | 7544                   |
| 40518 7590 01/06/2009<br>LEVINE BAGADE HAN LLP<br>2483 EAST BAYSHORE ROAD, SUITE 100<br>PALO ALTO, CA 94303 |             |                      | EXAMINER<br>ALTER, ALYSSA MARGO |                        |
|   |             |                      | ART UNIT<br>3762                | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>01/06/2009         | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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*In re* Application of :  
TEHRANI, AMIR J. :  
Serial No.: 10/686,891 :  
Filed: Oct. 15, 2003 :  
Docket: RMXLNZ00100 : ABANDONMENT RECISSION  
Title: BREATHING DISORDER DETECTION : LETTER  
AND THERAPY DELIVERY DEVICE :  
AND METHOD :

LETTER RESCINDING NOTICE OF ABANDONMENT

This is in response to the Petition to withdraw holding of abandonment filed on Dec. 30, 2008. A Notice of Abandonment, Form PTO-1432, was mailed on Dec. 24, 2008, in patent application Serial Number 10/686,891. The Notice of Abandonment alleged that applicant failed to file a response to the Office action dated Jun. 17, 2008. However, the record does show a response and RCE with a request of three months extension of time was filed on Dec. 17, 2008. A certificate of transmission dated Dec. 17, 2008 was signed by Quyen B. Nguyen on Page 1 of the response. Accordingly, the response is considered timely and the Notice of Abandonment is, therefore, hereby RESCINDED.

Any inconvenience occasioned by the delay in associating the response with the application file is regretted.

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